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500.43868X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: S. NISHIYAMA, et al
Serial No.: 10/849,113
Filed: May 20, 2004
For: DISK ARRAY APPARATUS
Group: 2652
Examiner: T. Chen

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 30, 2005

Sir:

The following is in response to the November 1, 2005 Office Action in which the Examiner alleges that restriction under 35 USC §121 is required and requested Applicants to elect one of the alleged inventions.

In response to the restriction requirement Applicants hereby elect without traverse Species I, Figs. 1-8, claims 1, 2, 5, 6, 8-10 and 12-16 for further prosecution on the merits. Accordingly, an Office Action examining claims 1, 2, 5, 6, 8-10 and 12-16 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.43868X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



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